

**UNITED STATES PATENT AND TRADEMARK
OFFICE**
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

King

Mailed: September 6, 2002

Opposition No. 91120885

KRYPTONITE CORPORATION

v.

O.L. PRODUCTS, INC.

Thomas W. Wellington
Interlocutory Attorney,
Trademark Trial and Appeal Board:

Stipulated Protective Agreement

The stipulated protective agreement filed on July 19, 2002 is noted. The parties are referred, as appropriate, to TBMP §§ 416.05 (Signature of Protective Order), 416.06 (Filing Confidential Materials With Board), 416.07 (Handling of Confidential Materials by Board).

The parties are advised that only confidential or trade secret information should be filed pursuant to a stipulated protective agreement. Such an agreement may not be used as a means of circumventing paragraphs (d) and (e) of 37 CFR § 2.27, which provide, in essence, that the file of a published application or issued registration, and all

proceedings relating thereto, should otherwise be available for public inspection.

Substitution of Counsel

Applicant's motion to withdraw as counsel, filed July 26, 2002, is noted and entered. In view thereof, the law firm of Mouser & Wells, P.A. no longer represents applicant in this proceeding. Correspondence on behalf of applicant will be forwarded to Jeffrey Sherman at 3874 Tampa Road, Tampa, Florida 34677.

Proceedings Resumed

The suspension period having expired with no word from either party concerning the status of their negotiations, it is concluded that efforts to reach an amicable settlement in this case have been unsuccessful.

Accordingly, proceedings herein are resumed and trial dates are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:	CLOSED
30-day testimony period for party in position of plaintiff to close:	December 10, 2002
30-day testimony period for party in position of defendant to close:	February 8, 2003
15-day rebuttal testimony period for plaintiff to close:	March 25, 2003

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.